

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA)
)
 Plaintiff,) **Civil No. 3:03-0488**
)
)
 v.)
)
NUMEROUS ASSETS, et al.,)
)
)
 Defendant.)

**CONSENT ORDER OF FORFEITURE
AS TO ASSETS SEIZED FROM SUZANNE GILL AND AVANT GILL**

Based on the representations and agreements of the Government and the Claimants Avant Gill and Suzanne Gill as evidenced by their signatures below, the Court finds as follows:

WHEREAS, on July 11, 2003, the Government filed its Amended Verified Complaint for Forfeiture (D.E.16) against the Defendant Property seeking its forfeiture pursuant to (1) 18 U.S.C. § 1955(d), which authorizes forfeiture of any property, including money, used in violation of the provisions of section 1955, (2) 18 U.S.C. § 981(a)(1)(c), which authorizes forfeiture of any property, real or personal, which constitutes or is derived from proceeds traceable to any offense constituting "specified unlawful activity" as defined in section 1956(c)(7) of title 18, and (3) 18 U.S.C. § 981 (a)(1)(A) which authorizes forfeiture of any property, real or personal, involved in a transaction or attempted transaction in violation of section 1956, 1957 or 1960 of title 18, or any property traceable to such property.

WHEREAS, process was fully issued in this action and returned according to law. Pursuant to the Warrant and Summons for Arrest of Articles In Rem issued by the Court, all persons claiming an interest in the Defendant Property were required to file a Verified Statement of Interest with the

Clerk of Court no later than thirty (30) days after the date of service of the complaint or, as applicable, the date of final publication of the notice of forfeiture and to serve and file an answer within twenty (20) days after the filing of the claim as provided by Rule C(6)(a) of the Supplemental Rules for Certain Admiralty and Maritime Claims, Federal Rules of Civil Procedure.

WHEREAS, the Defendant Property was seized and served with a copy of the Amended Verified Complaint for Forfeiture and the Warrant and Summons for Arrest of Articles In Rem;

WHEREAS, notice of said complaint and forfeiture action was published in a newspaper of general circulation in the county where the Defendant Property was seized; and no claim or answer has been filed by or on behalf of any other person or entity, and the time within which to do so has expired.

WHEREAS, in accordance with the Agreement entered into on December 14, 2007 between Suzanne Gill and the United States, in Criminal Action No. 3:07cr00190, the parties stipulated and agreed to compromise and settle their claims with respect to the following Defendant Property:

As listed in Attachment A to Amended Verified Complaint for Forfeiture

Item No.	Defendant Property
28	\$96,840.00
29	\$33,930.34 in coins
32	\$9,331.89 cashier's check, Bank of America Ref. NTN3786478351 subsequently converted to U.S. currency
33	\$4,453.29 cashier's check, Bank of America Ref. NTN2703625281 subsequently converted to U.S. currency
34	\$1,780.18 cashier's check, Bank of America Ref. NTN2703754278 subsequently converted to U.S. currency
35	\$6,990.49 cashier's check, Bank of America Ref. NTN6270187948 subsequently converted to U.S. currency

Item No.	Defendant Property
36	\$1,925.03 cashier's check, SunTrust Bank subsequently converted to U.S. currency
37	\$3,140.53 cashier's check, Bank of America Ref. NTN3785795433 subsequently converted to U.S. currency
38	\$24.00 U.S. Currency and checks made payable to Suzanne Gill for \$295.27
42	\$138.00

As listed in Attachment B to Amended Verified Complaint for Forfeiture

Item No.	Defendant Property
97	coin collection
107	2 imitation Rolex watches
108	2 gold chains
109	1 five dollar gold coin and case

As listed in Attachment C to Amended Verified Complaint for Forfeiture

Item No.	Defendant Property
20	\$134,400.00
21	\$105,050.00
22	\$341,050.00

WHEREAS, Claimant Suzanne Gill agrees to the forfeiture of the Defendant Property listed as Item Numbers 20, 21 and 22 in Attachment C to the Amended Verified Complaint for Forfeiture equal to the sum of \$580,500.00 (hereinafter "Subject Property").

WHEREAS, Claimant Avant Gill agrees to the forfeiture of the Subject Property and voluntarily withdraws any claim he has filed in this matter and releases any future claim he may have by virtue of marital interest or otherwise.

WHEREAS, the Government agrees to return the following Defendant Property:

- (a) \$124,485.40 U.S. Currency comprised of assets listed as Item Numbers 28, 32, 33, 34, 35, 36, 37, 38 and 42 in Attachment A to the Amended Verified Complaint for Forfeiture;
- (b) Item Number 29 in Attachment A to the Amended Verified Complaint for Forfeiture; and
- (c) Item Numbers 97, 107, 109 and 109 in Attachment B to the Amended Verified Complaint for Forfeiture.

Now, therefore, upon the agreement of the parties, it is hereby

ORDERED, ADJUDGED AND DECREED that there is a preponderance of the evidence for the forfeiture of the Subject Property; that there is a substantial connection between the Subject Property and the offense; that the Subject Property listed as Item Numbers 20, 21 and 22 in Attachment C to the Amended Verified Complaint for Forfeiture equal to the sum of \$580,500.00 shall be forfeited to the United States with no right, title or interest existing in any other person or entity.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States Marshals Service and/or the Department of Treasury is directed to dispose of the Subject Property according to law, with the net proceeds, after the deduction of any costs incurred in relation to the seizure or forfeiture of the defendant property, to be deposited into the Asset Forfeiture Fund and further disbursed according to law.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Government shall return the following Defendant Property:

- (a) \$124,485.40 U.S. Currency comprised of assets listed as Item Numbers 28, 32, 33, 34, 35, 36, 37, 38 and 42 in Attachment A to the Amended Verified Complaint for Forfeiture;

- (b) Item Number 29 in Attachment A to the Amended Verified Complaint for Forfeiture; and
- (c) Item Numbers 97, 107, 109 and 109 in Attachment B to the Amended Verified Complaint for Forfeiture.

The entry of this order shall serve as the final judgment in this action.

IT IS SO ORDERED on this, the 21 day of March, 2008.

Todd Colee
United States District Judge

APPROVED FOR ENTRY:

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